



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Haeringen et al.

**Serial No.:** 10/676,849

**Filed:** September 30, 2003

**For:** UNIVERSAL VARIABLE  
FRAGMENTS

**Confirmation No.:** To be assigned

**Examiner:** To be assigned

**Group Art Unit:** To be assigned

**Attorney Docket No.:** 2183-6002.1US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 24, 2003  
Date

Signature

Betty Vowles  
Name (Type/Print)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
#US - 5,955,276	09-21-1999	Morgante et al.
#US - 5,691,136	11-25-1997	Lupski et al.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
#EP 0 721 987 A1	07-17-1996	Keygene N.V.

Other Documents

#CAETANO-ANOLLES et al., DNA Amplification Fingerprinting: A Strategy for Genome Analysis, Plant Molecular Biology Reporter, 9(4):294-307, 1991.

#CHEE et al., Development of Polymerase Chain Reaction for Barley Genome Analysis, Journal of the American Society of Brewing Chemists, 51(3):93-96, 1993.

#DAVILLA et al., Molecular Characterization and genetic mapping of random amplified microsatellite polymorphism in barley, Theoretical and Applied Genetics, 98(2):265-73, 1999.

#PASAKINSKIENE et al., Anchored simple-sequence repeats as primers to generate species-specific DNA markers in Lolium and Festuca grasses, Theoretical and Applied Genetics, 100:384-90, 2000.

#SANCHEZ de la HOZ et al., Simple sequence repeat primers used in polymerase chain reaction amplifications to study genetic diversity in barley, Genome, 39(1):112-17, 1996.

#VOS et al., AFLP: a new technique for DNA fingerprinting, Nucleic Acids Research, 23(21):4407-14, 1995.

#WU et al., Detection of microsatellite polymorphisms without cloning, Nucleic Acids Research, 22(15):3257-58, 1994.

Serial No.: 10/676,849

#ZIETKIEWICZ et al., Genome Fingerprinting by Simple Sequence Repeat (SSR) -  
Anchored Polymerase Chain Reaction Amplification, Genomics, 20:176-83, 1994.

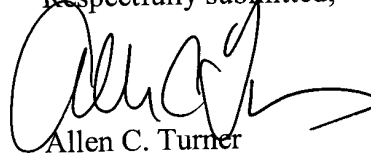
#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the  
Office in the following prior application:  
Serial No.: 09/958,221  
Filed: October 3, 2001  
For: UNIVERSAL VARIABLE FRAGMENTS, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

In compliance with the duty to disclose information material to patentability pursuant to  
37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming  
a common inventor(s):

Attorney Docket No.: 2183-6002US  
Serial No.: 09/958,221  
Filing Date: 10/3/2001  
Title: UNIVERSAL VARIABLE FRAGMENTS

This Information Disclosure Statement is filed within three (3) months of the filing date  
of the above-identified application, and no certification pursuant to 37 C.F.R. § 1.97(c) or a fee  
pursuant to 37 C.F.R. § 1.17(p) is required.

Respectfully submitted,



Allen C. Turner  
Registration No. 33,041  
Attorney for Applicant(s)  
TRASKBRITT, P.C.  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: October 23, 2003  
ACT/bv

Enclosures: Form PTO-1449 or PTO/SB/08  
Cited Documents

Document in ProLaw

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet

1

of

2

*Complete if Known*

Application Number

10/676.849

Filing Date

September 30, 2003

**First Named Inventor**

Haeringen et al.

Group Art Unit

### To be assigned

**Examiner Name**

To be assigned

Attorney Docket Number

2183-6002.1US

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

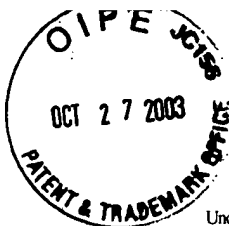
Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PTO/SB/08B(10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	10/676,849
Filing Date	September 30, 2003
First Named Inventor	Haeringen et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2183-6002 IUS

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		#CAETANO-ANOLLES et al., DNA Amplification Fingerprinting: A Strategy for Genome Analysis, Plant Molecular Biology Reporter, 9(4):294-307, 1991.	
		#CHEE et al., Development of Polymerase Chain Reaction for Barley Genome Analysis, Journal of the American Society of Brewing Chemists, 51(3):93-96, 1993.	
		#DAVILLA et al., Molecular Characterization and genetic mapping of random amplified microsatellite polymorphism in barley, Theoretical and Applied Genetics, 98(2):265-73, 1999.	
		#PASAKINSKIENE et al., Anchored simple-sequence repeats as primers to generate species-specific DNA markers in Lolium and Festuca grasses, Theoretical and Applied Genetics, 100:384-90, 2000.	
		#SANCHEZ de la HOZ et al., Simple sequence repeat primers used in polymerase chain reaction amplifications to study genetic diversity in barley, Genome, 39(1):112-17, 1996.	
		#VOS et al., AFLP: a new technique for DNA fingerprinting, Nucleic Acids Research, 23(21):4407-14, 1995.	
		#WU et al., Detection of microsatellite polymorphisms without cloning, Nucleic Acids Research, 22(15):3257-58, 1994.	
		#ZIETKIEWICZ et al., Genome Fingerprinting by Simple Sequence Repeat (SSR) - Anchored Polymerase Chain Reaction Amplification, Genomics, 20:176-83, 1994.	

Examiner  
SignatureDate  
Considered

#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 09/958,221

Filed: October 3, 2001

For: UNIVERSAL VARIABLE FRAGMENTS, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.